

HAWAII ADMINISTRATIVE RULES

TITLE 16

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

CHAPTER 80

ELECTRICIANS AND PLUMBERS

Subchapter 1 General Provisions

§16-80-1	Objective
§16-80-2	Scope
§16-80-3	Definitions
§16-80-4	Licensure required
§16-80-5	Applications and examinations required
§16-80-6	Examinations required
§16-80-7	Fees
§16-80-8	Notification of change
§16-80-8.5	Workmanship

Subchapter 2 Practice and Procedure

§16-80-9	Repealed
§16-80-10	Practice and procedure
§16-80-11	Denial
§16-80-12	Request for hearing

Subchapter 3 Oral Testimony

§16-80-14	Oral testimony
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Subchapter 4 License Renewal

§16-80-20	License renewal
§16-80-21	Restoration of forfeited license

Subchapter 5 Continued Competency-Electricians

- §16-80-30 Electricians; continued competency program
- §16-80-31 Electricians; continued competency requirements

SUBCHAPTER 1

GENERAL PROVISIONS

§16-80-1 Objective. This chapter adopted by the board of electricians and plumbers, hereafter referred to as "board," is intended to clarify and implement chapter 448E, Hawaii Revised Statutes, and to insure the safety and welfare of the general public. [Eff 5/27/73; am and ren §16-80-1, 7/30/81; am and comp 11/24/89] (Auth: HRS §448E-4) (Imp: HRS §448E-4)

§16-80-2 Scope. (a) The provisions of this chapter shall apply to all persons who act as an electrician or plumber and who are required by chapter 448E, HRS, to be licensed by the board. Pursuant to chapter 448E, HRS, those persons who are required to be licensed by the board are as follows:

- (1) Journeyman electrician;
- (2) Journeyman specialty electrician;
- (3)(4) Journeyworker industrial electrician; Supervising electrician;
- [(4)](5) Supervising specialty electrician;
- (5) Journeyman plumber;
- (6) Master plumber; and
- (7) Maintenance electrician.
- (b) The provisions of this chapter shall not apply to persons who:
 - (1) While employed, are regulated by the public utilities commission;
 - (2) While employed, are under the control and jurisdiction of the United States government;
 - (3) Maintain and repair small electrical appliances; or
 - (4) Manufacture or sell plumbing or electrical fixtures, appliances, equipment, or hardware. [Eff 5/27/73; am and ren §16-80-2, 7/30/81; am and comp 11/24/89] (Auth: HRS §448E-4) (Imp: HRS §448E-4)

§16-80-3 Definitions.

"Apprentice" means a person who is registered as such in accordance with chapter 372, HRS, and who performs electrical or plumbing work under the supervision of a supervising electrician, supervising specialty electrician, master plumber, or journeyman plumber.

"Electrical appliances" means any portable motor or other portable appliance energized by means of a cord or cable having an attachment plug.

"Electrical equipment" means any wire, appliance, fixture, apparatus, machinery, or material installed in, upon, or about any building or structure in the State for making use of electrical energy for light, heat, power, or any other purpose, except when used in central stations or substations, for the production or control of electrical energy for light or power or where used exclusively for telephone, call bells, signal systems, or other purposes in connection with which electromotive force does not exceed thirty volts.

"Electrical maintenance work" means the keeping in repair and operation of any and all existing electrical installations, apparatus, and equipment and extensions to same, not to exceed one branch circuit capacity for each specific extension.

"Electrical wiring" means any electrical conductor, material, device, fitting, apparatus, appliance, fixture, or equipment, constituting a part of or connected to any electrical installation attached or fastened to any building, structure, or premises and which installation or portion thereof is designed, intended or used to generate, transmit, transform, or utilize electrical energy within the scope and purpose of the National Electrical Code.

"Electrical work" means the installation, alteration, reconstruction, or repair of electrical wiring.

"Equivalent experience in the trade" for master plumbers as defined in section 448E-5(6), HRS, means, but is not limited to, having been licensed as a journeyman plumber or as a master plumber in another county, state, or country whose requirements for licensure are substantially equivalent to those in force in this State.

"Equivalent experience in the trade" for supervising electricians as used in section 448E-5(3), HRS, means, but is not limited to, having been licensed as a journeyman electrician or as a supervising electrician in another county, state, or country whose requirements for licensure are substantially equivalent to those in force in this State.

"Equivalent experience in the trade" for supervising specialty electricians as defined in section 448E-5(4), HRS, means, but is not limited to, having been licensed as a journeyman specialty electrician or as a supervising specialty electrician in another county, state, or country whose requirements for licensure are substantially equivalent to those in force in this State.

"Experience in the trade" for journeyman electricians as used in section 448E-5(1), HRS, means experience in the installation, alteration, and repair of electrical equipment, wires, and apparatus.

"Experience in the trade" for journeyman specialty electricians as defined in section 448E-5(2), HRS, means experience in performing electrical work related to installing, repairing, altering, and maintaining but not the attachment of lighting and power circuits to the following: electronic equipment, sound public address systems, and communication systems, other than equipment and systems for a single-family or two-family dwelling; master community radio and television receiving antenna systems; sound recording systems, other than systems for a single-family or two-family dwelling; burglar and fire alarm systems; low voltage remote control, other than a control for a single-family or two-family dwelling; and low voltage communication signal systems.

"Plumbing work" means the business, trade, or work having to do with the installation, maintenance, extension, and alteration of all piping, fixtures, appliances, and appurtenances in connection with any of the following: Sanitary drainage or storm drainage facilities, venting systems, potable water-supply systems, and fuel systems within or adjacent to any building, or conveyance; also the practice of and materials used in installation, maintenance, or extension of any storm-waste, liquid-waste, sewage, or potable water-supply systems of any premises to their connection with any point of public disposal or other acceptable terminal. However, this provision shall not prohibit other properly licensed contractors from performing any exterior piping work five feet or more outside the building line without licensed plumbers. The Unified Plumbing Code (UPC) with amendments as adopted by each County is recognized as the minimum requirement and standard of accomplishing plumbing work. [Eff 5/27/73; am and ren §16-80-3, 7/30/81; am and comp 11/24/89] (Auth: HRS §448E-4) (Imp: HRS §448E-1)

§16-80-4 Licensure required.

- (1) Any person who directs or supervises electrical work in the State is required to have a supervising electrician's license;
- (2) Any person who performs electrical work in the State is required to have a journeyman electrician's license;
- (3) Any person who performs electrical work related to installing, repairing, altering, and maintaining but not the attachment of lighting and power circuits to the following: Electronic equipment, sound public address systems, and communications systems, other than equipment and systems for a single-family or two-family dwelling; master community radio and television receiving antenna

systems; sound recording systems, other than systems for a single-family or two-family dwelling; burglar and fire alarm systems; low voltage remote control, other than a control for a single-family or two-family dwelling; and low voltage communication signal systems, is required to have a journeyman specialty electrician's license;

- (4) Any person who directs and supervises the performance of electrical work related to installing, repairing, altering, and maintaining but not the attachment of lighting and power circuits to the following: Electronic equipment, sound public address systems, and communications systems, other than equipment and systems for a single-family or two-family dwelling; master; or community radio and television receiving antenna system; sound recording systems other than systems for a single-family or two-family dwelling; burglar and fire alarm systems; low voltage remote control, other than control for a single-family or two-family dwelling; and low voltage communication signal systems, is required to have a supervising specialty electrical license;
- (5) Any person who directs and supervises the performance of plumbing work or who performs plumbing work is required to have a journeyman plumber's license or a master plumber's license;
- (6) No electrical work shall be performed in or about the buildings in the State by any person who is not licensed as a journeyman electrician or as a supervising electrician except that such work may be performed by an apprentice or electrician's helper so long as such work is performed under supervision of a licensed supervising electrician;
- (7) No plumbing work shall be performed in or within five feet of the buildings in the State by any person who is not licensed as a journeyman plumber or master plumber, except that such work may be performed by an apprentice or plumber's helper, so long as such work is performed under the supervision of a licensed journeyman or master plumber. [Eff 5/27/73; am §16-80-4, 7/30/81; am and comp 11/24/89] (Auth: HRS §448E-4) (Imp: HRS §448E-9)

§16-80-5 Applications and examinations required.

- (1) No license shall be issued to any person unless such person applies for, takes and passes a written examination as prescribed by the board for the license applied for;
- (2) An application filed with the board shall be prepared in accordance with and contain the information called for in the application form provided by the board and any instructions which are required by the board with respect to filing;
- (3) The applicant shall submit documentary proof satisfactory to the board that the applicant has the experience as required for examination;
- (4) Applications accompanied with all the required information and documents shall be filed not less than seven days prior to the board meeting date; and
- (5) An application shall be deemed to have been abandoned if all requirements including filing of forms and payment of fees have not been completed within two years from date first filed. [Eff 5/27/73; am and ren §16-80-5, 7/30/81; am and comp 11/24/89] (Auth: HRS §448E-4) (Imp: HRS §448E-4)

SUBCHAPTER 2

PRACTICE AND PROCEDURE

§16-80-9 Repealed. [R11/24/89]

§16-80-10 Administrative practice and procedure. The rules of practice and procedure for electricians and plumbers shall be as provided in chapter 16-201, the rules of practice and procedure of the department, which are incorporated by reference and made part of this chapter. [Eff and comp 11/24/89] (Auth: HRS §91-2) (Imp: HRS §91-2)

SUBCHAPTER 3

ORAL TESTIMONY

§16-80-14 Oral testimony. (a) The board shall accept oral testimony on any item which is on the agenda, provided that the testimony shall be subject to the following conditions:

- (1) Each person seeking to present oral testimony shall notify the board not later than forty-eight hours prior to the meeting, and at that time shall state the item on which testimony is to be presented;
- (2) The board may request that any person providing oral testimony submit the remarks, or a summary of the remarks, in writing to the board;
- (3) The board may rearrange the items on the agenda for the purpose of providing for the most efficient and convenient presentation of oral testimony;
- (4) Persons presenting oral testimony at the beginning of the testimony shall identify themselves and the organization, if any, that they represent;
- (5) The board may limit oral testimony to a specified time period but in no case shall the period be less than five minutes, and the person testifying shall be informed prior to the commencement of the testimony of the time constraints to be imposed; and
- (6) The board may refuse to hear any testimony which is irrelevant, immaterial, or unduly repetitious to the agenda item on which it is presented.

(b) Nothing in this section shall require the board to hear or receive any oral or documentary evidence from a person on any matter which is the subject of another pending proceeding subject to the hearings relief, declaratory relief, or rule relief provisions of chapter 16-201.

(c) Nothing in this section shall prevent the board from soliciting oral remarks from persons present at the meeting or from inviting persons to make presentations to the board on any particular matter on the board's agenda. [Eff and comp 11/24/89] (Auth: HRS §448E-4(2) (Imp: HRS §92-3)

Amendments to and compilation of chapter 16-80, and the repeal of Chapter 16-145, Hawaii Administrative Rules, on Summary page dated October 5, 1989, were adopted on October 5, 1989, following a public hearing held on September 12, 1989, after public notices were given in the Hawaii Newspaper Agency Advertising Supplement included in the Wednesday, August 2, 1989 edition of the Honolulu Star-Bulletin, Honolulu Advertiser, Hawaii Tribune-Herald, West Hawaii Today, Maui News, and the Garden Island.

They shall take effect ten days after filing with the Office of the Lieutenant Governor.

/s/ Herbert K. Endo
HERBERT K. ENDO, Chairman
Board of Electricians and Plumbers

APPROVED AS TO FORM: Date: 10/13/89

/s/ Norma Doctor Sparks
Deputy Attorney General

APPROVED: Date: 10/25/89

/s/ Robert A. Alm
ROBERT A. ALM
Director of Commerce and Consumer Affairs

APPROVED: Date: 11/14/89

/s/ John Waihee
JOHN WAIHEE
Governor
State of Hawaii

November 14, 1989
Filed

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

Amendment and Compilation of Chapter 16-80
and Repeal of Chapter 16-145, Hawaii Administrative Rules

October 5, 1989

SUMMARY

1. §§16-80-1 to 16-80-5 are amended.
2. §16-80-9 is repealed.
3. Subchapter 2 is retitled.
4. A new §16-80-10 is added.
5. A new subchapter 3 (§16-80-14) is added.
6. Chapter 16-80 is compiled.
7. Chapter 16-145 is repealed.

TITLE 16

DEPARTMENT OF REGULATORY AGENCIES

CHAPTER 145

UNIFORM RULES OF ADMINISTRATIVE PROCEDURE
of the Board of Electricians and Plumbers

Repealed

§§16-145-1 to 16-145-80 Repealed [11/24/89]